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February 28, 2002

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Room: TW-A325  
Washington, DC 20554

Re: **Ex Parte Meeting**  
*Establishment of Rules and Policies for the Satellite Digital Audio Radio  
Service in the 2310-2360 MHz Band, IB Docket No. 95-91*

Dear Mr. Caton:

On February 26, 2002, Greg Evans, Vice President – Network Architecture, and Chuck Eppert, Director – Technical Regulatory Support, of Verizon Communications, Bob Kelsch, President & CEO, and Randall Schwartz, Director – Regulatory and Standards, of BeamReach Networks, and the undersigned met with Commissioner Michael Copps and his legal advisor, Paul Margie, to discuss the Commission's pending Notice of Proposed Rulemaking on SDARS terrestrial repeaters.

In this meeting, Verizon discussed its plan to use the WCS band for broadband services. Verizon believes that broadband fixed wireless technologies, such as those deployed in the WCS band, provide an excellent complement to its current strategy for delivering broadband via wired Digital Subscriber Line ("DSL") technology. Verizon believes that WCS will facilitate the economical deployment of broadband services in areas where DSL is not available while providing comparable levels of service to all of our broadband customers. In the coming months, Verizon plans to conduct a trial of its broadband fixed wireless service using the WCS band and technology/equipment developed by BeamReach Networks, Inc. Commercial deployment could begin next year depending on the results of the technical trial and the outcome of the Commission's proceeding.

BeamReach discussed its broadband wireless access ("BWA") product which employs OFDM technology with adaptive beamforming. This technology allows BeamReach to achieve significant improvements in spectral efficiency and system gain

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as compared to other currently available fixed wireless technologies. As a result, BeamReach's BWA systems can provide broadband services at rates equivalent to DSL to a large number of customers simultaneously in only 10 MHz of spectrum. This technology represents one of the first economically viable platforms for BWA in the WCS band. BeamReach noted that, in addition to providing a complement for DSL, WCS-BWA also provides a facilities-based competitive alternative to DSL.

We also discussed the potential for high-power SDARS terrestrial repeaters to cause harmful interference to WCS operations. This interference cannot be eliminated without expensive filtering that would make WCS-BWA deployment uneconomical. Previously, Verizon and BeamReach have recommended that the power of SDARS terrestrial repeaters be capped at 2 kW – the power limit that applies to WCS licensees. More recently, we have joined other WCS proponents in proposing a power flux density ("PFD") limit that would allow SDARS licensees to operate repeaters at higher power levels while providing necessary protection to WCS. This proposal may represent a more flexible approach for accommodating both SDARS and WCS than that afforded by a strict power cap.

Respectfully submitted,

/s/  
Donald C. Brittingham

Attachment

cc: Commissioner Michael Copps  
Paul Margie